D.B. CIVIL SPECIAL APPEAL(W)NO.350/2006

Ram Devaram
Vs.
State of Rajasthan & Ors.

DATE OF ORDER :: 09-05-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri Vijay Choudhary, for the appellant.

This special appeal is directed against the order of the learned Single Judge dismissing the writ petition of the appellant. The appellant had filed the writ petition challenging the order by which his services were terminated.

Brief facts of the case are that on 25.3.1998 the appellant was appointed on the post of Jail Guard in the category of Ex servicemen on probation. On 31.3.1998 he was asked to report for training at the Jail Training Institute, Ajmer on 1.4.1998. He however reported for training on 16.4.1998 on the pretext that he was on 'sick leave' from 31.3.1998 to 15.4.1998. His joining was nevertheless accepted. However, on the very next day, i.e. on 17.4.1998, he was absent at the time of roll call and voluntary labour (Shram Dan). He remained absent from training from 28.4.1998 to 19.5.1998. He appeared on 20.5.1998 along with a medical certificate. Not satisfied by the explanation, his services were terminated on 1.6.1998.

The appointment of the appellant, as mentioned above, was on probation and having regard to his conduct, he clearly made himself unworthy of the post. The order terminating the services cannot be said to be erroneous. The learned Single Judge therefore did not commit any error in dismissing the writ petition.

The appeal is dismissed.

[MOHAMMAD RAFIQ],J. **[S.N.JHA],CJ.**

Praveen